

## **ORDINANCE NO. 2015-28**

### **Amend Personnel Ordinance HR0450, Leave of Absence without Pay, providing authority to grant leave of absences greater than four months**

#### Executive Summary

Currently, the Human Resources Committee must approve all leave of absence requests that exceed four months. These requests are not reviewed and acted on until a regularly scheduled meeting of the Human Resources Committee. If an employee must commence unpaid leave before the committee can approve the request, this often means the employee will be on an unapproved leave until the Committee can meet to decide whether or not to approve the request. Sensitive and private health information must be shared to provide the committee enough information to make a decision. And, although the meeting is in closed session under Wisconsin State Statutes Section 19.85 (1)(f), employees are not always comfortable sharing sensitive information, and may be hesitant to go before a committee of Board Supervisors.

If an employee is requesting a lengthy leave of absence, oftentimes there is a serious health condition involved which often is identified as a disability under the Americans with Disabilities Act Amendments Act (ADAAA). Under the ADAAA, employers must make reasonable accommodations to employees with a disability. An extended leave of absence may be a required accommodation.

On December 15, 2015, the Human Resources Director requested the Human Resources Committee to review Ordinance HR0450, Leave of Absence without Pay, and to consider authorizing the Human Resources Director, or designee, to approve lengthy leave of absences and extensions of leave of absences. This would allow employees a one-on-one conversation about his/her leave, while ensuring the applicable employment laws are adhered to. On January 26, 2016, the Human Resources Committee considered the request and is recommending an amendment to HR0450, Leave of Absence without Pay, providing the Human Resources Director, or designee, the authority to grant leave of absences of up to one year.

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WHEREAS, Jefferson County employees should be able to request a leave of absence in the most timely and most private manner possible.

NOW, THEREFORE, BE IT RESOLVED that the Human Resources Committee supports and recommends the amendment of Section HR0450, Leave of Absence without Pay, to authorize the Human Resources Director, or designee, the authority to grant leave of absences of up to one year.

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section HR450, Leave of Absence without Pay, is amended as follows:

**HR0450 LEAVE OF ABSENCE WITHOUT PAY**

- D. The Human Resources ~~Committee~~ Director, or designee, may grant a leave of absence of up to 1 year to an employee, inclusive of any approved time authorized by the department head and State and Federal FMLA. Such 1-year leave may be extended if deemed reasonable by the Human Resources ~~Committee in its sole discretion.~~ Employees may appeal the Human Resources Director's decision according to HR0560(B).

Section 2. This ordinance shall be effective after passage and publication as provided by law.

*Fiscal Note: This ordinance has no fiscal impact.*

Adopted by the Jefferson County Board of Supervisors this 9th day of February 2016.

s/Jim Schroeder

Jim Schroeder  
Chair

ATTEST:

s/Barbara A. Frank

Barbara A. Frank, County Clerk

Published this 15th day of February 2016.

Ayes: **VOICE VOTE**    Noes\_\_\_\_\_ Abstain\_\_\_\_\_ Absent\_\_\_\_\_ Vacant\_\_\_\_\_

Requested by  
Human Resources Committee

02-09-16

Terri M. Palm: 01-14-16; J. Blair Ward: 01-19-16

APPROVED:                      Administrator:    bw;            Corp.            Counsel:            jbw;            Finance            Director:  
bl